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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,614	11/12/2003	In-Soo Jung	38840.00004.UTL I	9012

7590 04/18/2005
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EXAMINER

MAH, CHUCK Y

ART UNIT PAPER NUMBER

3676

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/712,614	Applicant(s) JUNG ET AL.	
	Examiner Chuck Mah	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is vague and indefinite because the claim claims "A mounting block" without reciting a mounting block structure. The mounting block and how the mounting block is related to "a release and retaining mechanism" cannot be understood structurally or functionally. Also, it is not clear whether applicant intends to define element 107 as shown in the drawings as "a mounting block" or element 105 shown as "a mounting block". Further, it is not clear what "disengaging" structurally means. Note similar errors in claim 10.

In claim 2, "a plurality..." fails to further limit the subject matter of claim 1 since claim 1 limits "a" release retaining mechanism, not "at least one" release retaining mechanism. Note similar errors in claim 11.

In claim 4, "installed uninstalled" is confusing and should be separated by a coordinating conjunction. Line 2 "ore" should be "or". Further, it is not clear what is meant by "installed uninstalled" structurally. Note similar errors in claim 13.

In claim 9, it cannot be understood what is being defined as “a plurality of mechanisms acting in concert” and how it is structurally related to the “release and retaining mechanism”. Note similar errors in claim 18.

In claim 19, the structural relationship between the “release and retaining mechanism” and the “telescoping handle” is omitted. It cannot be understood what the function of “disengaging” and the function of “engaging” are referring to.

Claim 20 is confusing. Apparently “obtaining the new telescoping handle” after “installing a new telescoping handle” does not make sense.

For claim 21, it is not clear how further step of “disengaging a plurality of release and retaining mechanisms” is related to “disengaging a release and retaining mechanism” in the previous step. Apparently claim 21 has no effect in removing or installing the handle.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7, 9-14, 16, and 18-23, as best as understood, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by DE 2742557A. The mounting block comprising a release and retaining mechanism (7) of DE '557 enables the telescopic handle upper sections (5,6) to engage or disengaging from the lower sections (1,2). Note that the claims do not clearly define a "mounting block" structure but a mere statement of "a mounting block...comprising a release and retaining mechanism". "mounting block" has multiple meanings depending on the parts of speech. Any clamp or clip can be considered a "mounting block" to block the telescopic sections of the handle from separating. As to claim 23, "an identifying color" is an inherent characteristic.
5. Claims 1-5, 7, 9-14, 16 and 18-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lu (5,730,264). Lu has teaches a block (31, 41) and a clip (32, 42) that is installed to the handle by screws (5).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 8, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE'557 or Lu '264.

Both '557 and '264 do not show the screw or the clip being painted. The examiner takes Official Notice that it is well-known and common practice in the art to paint fasteners for visual identification, for corrosion prevention, or for authentic decoration purposes. It would have been obvious matter of design choice to paint the screw or clip of '557 or '264 for the purposes mentioned above.


Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Mah whose telephone number is (571)272-7059. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on (571)272-7049. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chuck Mah
Primary Examiner
Art Unit 3676

CM